IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 161 (SS) of 2007

1. Lalit Mohan Joshi, S/o Jagnath Joshi, presently posted as Assistant Teacher, Primary School, Pangla, Dharchula, District – Pithoragarh.
2. Jiwan Chandra Bhatt, S/o Bansidhar Bhatt, presently posted as Assistant Teacher, Primary School, Shirkha, Dharchula, District – Pithoragarh.
3. Vinod Kumar Bhaisora, S/o Netra Singh, presently posted as Assistant Teacher, Primary School, Machho, Dharchula, District – Pithoragarh.

……Petitioners.

Versus

1. State of Uttarakhand through Secretary, Department of Education, Dehradun.
2. Director Vidyalayee Shiksha, Uttarakhand, Dehradun.
3. Director of Education, Uttarakhand, Dehradun.
4. Assistant Director of Education, Basic Kumaon Region, Nainital.
5. District Education Officer, Pithoragarh.
6. Additional District Education Officer, Pithoragarh.

……Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri K.N. Joshi, learned counsel for the petitioner and learned Standing Counsel for State of Uttarakhand on behalf of the respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. *Issue a writ order or direction in the nature of Mandamus Commanding the respondents to give*

promotional benefit to the petitioners on the basis of the initial date of appointment.

2. *Issue a writ order or direction in the nature of Mandamus commanding the respondents to give promotional benefit to the petitioners like other Assistant Teachers who have been appointed in pursuance to the same advertisement by which the petitioners were also appointed.*

3. *Issue a writ order or direction in the nature of Mandamus commanding the respondents to respondents to decide the representation of the petitioners.*

4. *issue any other writ order or direction, which this Hon'ble court may deem fit and proper in the circumstances of the case.*

5. *award the cost of the petition.*

The submission of learned counsel for the petitioners is that petitioners have already made representation, raising all their grievances, on 28.12.2006 before District Education Officer, Pithoragarh but till date no action has been taken by District Education Officer, Pithoragarh.

During the course of argument, learned counsel for the petitioners has confined his prayer that writ petition may be disposed of with a direction to respondent no. 5 to decide the representation of the petitioners which is annexed as Annexure No. 8 to the writ petition within stipulated period.

The prayer is innocuous. Accordingly, respondent no.5 i.e. District Education Officer, Pithoragarh is directed to take decision on the representation of the petitioners, which is annexed as Annexure No. 8 to the writ petition within a period

of four weeks from the date of production of certified copy of this order.

With this direction, writ petition as well as interim relief application no. nil of 2007 is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

March 14, 2007
Sksharma